

Remarks

Claims 1-20 are currently pending. Claims 1, 2, 10, 13 and 16 have been amended. Claims 1, 2, 13 and 16-19 are rejected under 35 U.S.C. §102. Claims 1-7 and 10-20 stand rejected under 35 U.S.C. 103(a). Applicants assert that all claims are now in condition for allowance as set forth more fully below.

Interview Summary

A phone interview was held on March 21. During the interview the §102 rejections were discussed in which the Office Action explicitly equates the Network Control Program of Ashton to the remote access module recited in the independent claims and that the Network Control Program's explicit function was to connect virtual circuit appearances on a net work node and not to" display the identifier over an external third network to a web client". The Examiner indicated that the applicant's point may have merit upon review of a written argument.

It was further discussed that independent claims 1, 13 and 16 may be amended to add additional limitations including a "VPN in communication with the remote access module and the web client", "means for collecting switch identifiers in-band over the first network and from an out of band network", and "displaying the identifiers in a web page in response to browser request". The Examiner requested that written amendments be provided for consideration but that one or more of the amendments may also distinguish the claims from Aston.

Lastly, in regard to the §103 rejections, it was discussed that neither Ditmer nor Ashton disclose or suggest displaying a list of the assigned identifiers associated with a port. Ditmer merely discloses that configuration information is provided for a single PVC. The Examiner indicated that upon a written argument being presented that the applicant's argument may have merit.

102 Rejections

Applicants believe that there is a typographical error on page 3 of the Office Action referring to §102 rejections as §103(a) rejections. Applicants believe that Claims

1, 2, 13 and 16-19 are rejected under 35 U.S.C. 35 §102 as being unpatentable over Ashton. Applicants respectfully traverse the rejections.

Claims 1-9

In its rejection, the Office Action explicitly equates a Network Control Program (“NCP”) **13 and 15** to the remote access module recited in amended independent claim 1. The Applicant’s point out that the cited NCP is merely a computer process executed on computer hardware (Col. 5, l. 3-6) which is comprised of Frame Relay Terminating Equipment and Frame Relay Switching equipment that is used to connect the virtual circuit appearances on a network node. (Col. 5, l. 52-60) and to report that information to the NMS **11**.

However, amended claim 1 recites in pertinent part:

“A system for remotely displaying network configuration information for a first network ...comprising...a remote access module, in communication with the network management system over a network connection via a second network to obtain the assigned identifier,-for remotely displaying all of the assigned identifiers associated with all the permanent virtual connections of a port over an external third network to a web client, wherein the network management system contains the assigned identifiers stored prior to the web client communicating for the assigned identifiers; and,
a VPN, in communication with both the remote access module and the web client wherein the VPN interconnects the web client using encrypted traffic sent via tunneling over the internet”.

Since Ashton’s NCP **13/15** is not disclosed to “display the identifier over an external third network to a web client”, a NCP is therefore not a remote access module recited in the claim as asserted by the Office Action.

Further, amended claim 1 recites the system comprising “a VPN, in communication with both the remote access module and the web client wherein the VPN interconnects the web client using encrypted traffic sent via tunneling over the internet”. Assuming, arguendo, that an Ashton NCP **13/15** is a remote assess module, Ashton does not disclose a web client using encrypted traffic sent via tunneling over the internet”

However, because an Aston NCP **13/15** is not a remote access module and Ashton does not teach a web client using encrypted traffic sent via tunneling over the internet, Ashton fails to disclose all of the elements recited in the claims. As such amended independent claim 1 is allowable over Ashton for at least these reasons. Dependent

claims 2-9 depend from an allowable claim 1 and are allowable for at least these same reasons.

Claims 13-15

As discussed above in regards to amended independent claim 1, the Office Action explicitly equates a Network Control Program (“NCP”) **13 and 15** to the recited network management module recited in amended independent claim 13. The Applicant’s point out that the cited NCP is merely a computer process executed on computer hardware (Col. 5, l. 3-6) which is comprised of Frame Relay Terminating Equipment and Frame Relay Switching equipment that is used to connect the virtual circuit appearances on a network node. (Col. 5, l. 52-60) and to report that information to the NMS **11**.

However, amended claim 13 recites in pertinent part:

“[a] system for provisioning an identifier...comprising:
means for displaying the existing switch identifiers over an external third network using the network management module...”

Therefore, since Ashton’s NCP **13/15** is not disclosed to “display the existing switch identifier over an external third network using the network management module”, a NCP is therefore not a remote access module as asserted by the Office Action.

Further, amended claim 13 recites that the system comprises

“means for collecting switch identifiers in-band over the first network and from an out of band network using a network management protocol...means for displaying the existing switch identifiers over an external third network using the network management module, wherein the network management module is a web site...”.

Assuming, arguendo, that an Ashton NCP **13/15** is a network management module, Ashton discloses neither a “means for collecting switch identifiers in-band over the first network and from an out of band network using a network management protocol” nor that the network management module is a web site. In fact Ashton specifically discloses that the NCP **13/15** is used to connect virtual circuit appearances at the node or through the node. (Col. 5, l. 52-58). A NCP is not disclosed to be a website.

Because an Aston NCP **13/15** is not a network management module and Ashton does not teach either a “means for collecting switch identifiers in-band over the first

network and from an out of band network using a network management protocol” nor that the network management module is a web site, Ashton fails to disclose all of the elements recited in the claims. As such amended independent claim 13 is allowable over Ashton for at least these reasons. Dependent claims 14-15 depend from an allowable claim 13 and are allowable for at least these same reasons.

Claims 16-20

As discussed above in regards to amended independent claims 1 and 13, the Office Action explicitly equates a Network Control Program (“NCP”) **13 and 15** to the recited network management module recited in amended independent claim 13. The Applicant’s point out that the cited NCP is merely a computer process executed on computer hardware (Col. 5, l. 3-6) which is comprised of Frame Relay Terminating Equipment and Frame Relay Switching equipment that is used to connect the virtual circuit appearances on a network node. (Col. 5, l. 52-60) and to report that information to the NMS **11**.

However, amended claim 16 recites in pertinent part:

“[a] computer-readable medium having stored thereon instructions which, when executed by a processor, cause the processor to perform the steps of:
connecting a network management module to a network management system that stores identifiers ... wherein the network management module is capable of remotely displaying the identifiers in a web page over an external third network in response to a browser request,”

Therefore, since Ashton’s NCP **13/15** is not disclosed to “display the identifiers... over an external third network using the network management module”, a NCP is therefore not a remote access module as asserted by the Office Action.

Further, amended claim 16 recites “the network management module is capable of remotely displaying the identifiers in a web page over an external third network in response to a browser request.”

Assuming, arguendo, that an Ashton NCP **13/15** is a network management module, Ashton fails to teach that the NCP **13/15** “displaying the identifiers in a web page over an external third network in response to a browser request”. In fact Ashton specifically discloses that the NCP **13/15** is used to connect virtual circuit appearances at

the node or through the node. (Col. 5, l. 52-58). A NCP is not disclosed to be displaying identifiers in a web page in response to a browser request.

Because an Aston NCP 13/15 is not a network management module and Ashton does not teach displaying identifiers in a web page in response to a browser request, Ashton fails to disclose all of the elements recited in the claims. As such amended independent claim 16 is allowable over Ashton for at least these reasons. Dependent claims 17-20 depend from an allowable claim 16 and are allowable for at least these same reasons.

103 Rejections

Claims 1-7 and 10-20 stand rejected under 35 USC §103(a) as being unpatentable over Ditmer (U.S. Patent 6,490,620) in view of Ashton. Applicants respectfully traverse the rejections

Claims 1-7

The Office Action has rejected independent claim 1 by stating that Ditmer teaches all of the claimed elements but concedes that Ditmer does not disclose the network management system containing the identifier stored prior to the module communicating for the identifier.

Amended claim 1 recites,

“[a] system for remotely displaying network configuration information for a first network that comprises ...comprising:
a remote access module, in communication with the network management system over a network connection via a second network to obtain the assigned identifier, for remotely displaying all of the assigned identifiers associated with all the permanent virtual connections of a port over an external third network to a web client, wherein the network management system contains the assigned identifiers stored prior to the web client communicating for the assigned identifiers ...”.

The Office Action points to Ditmer Figure 12, 13 and to Column 21, lines 15-45 for the proposition that Ditmer displays a list of all of the assigned identifiers for all of the PVCs associated with a port over an external third network. However, none of the citations from Ditmer disclose, teach or suggest displaying such a list of all of the assigned identifiers associated with a port. Figure 12(e) discloses a drop down box **380**

with a 5 digit number in it however Ditmer is remiss in not providing a description for that the use of that drop down box or what that number represents. It is apparent that it is not a list of assigned identifiers. In Column 21 Ditmer discloses that configuration information is provided for a single PVC and its DLCI but not for a list of assigned identifiers associated with all of the PVCs of a port. Therefore, since no list associated with all the permanent virtual connections of a port displayed over an external third network to a web client is disclosed anywhere in Ditmer, Ditmer fails to teach the subject matter asserted to it by the Office Action..

Furthermore, Ashton fails to cure the above deficiency of Ditmer. As discussed above in regards to the §102 rejections, Ashton also does not teach displaying a list of all of the assigned identifiers for all of the PVCs associated with a port over an external third network. Ashton discloses the NCP's generating frames of network management data which are transmitted directly to the NMS. (Col. 5, l. 40-45). The NMS uses the information to manage traffic flow (Col. 5, l. 45-47) through an automation table that automatically controls the system without intervention by the operating personnel (Col. 3, l. 65-67). The automation table also allows users to customize portions of the system (Col. 4, l. 1-4) but Ashton fails to describe what is intended. As such, the applicant's assert that Ashton also fails to explicitly teach displaying a list of all of the assigned identifiers for all of the PVCs associated with a port over an external third network. Therefore, since neither Ditmer nor Ashton teach displaying a list of all of the assigned identifiers for all of the PVCs associated with a port over an external third network, their combination also fails and claim 1 is therefore allowable over that combination.

Further still, as discussed above in regards to the §102 rejection of claim 1, Applicants assert that neither Ditmer nor Ashton disclose "a VPN, in communication with both the remote access module and the web client wherein the VPN interconnects the web client using encrypted traffic sent via tunneling over the internet". Therefore amended independent claim 1 is allowable over the combination of Ditmer and Ashton for at least this additional reason. Dependent claims 2-9 depend from an allowable independent claim 1 and are allowable for at least these same reasons.

Claims 10-20

The Office Action rejects independent claims 10, 13 and 16 by asserting that Ditmer discloses most of the claimed elements with the exception of (a) storing the identifier prior to the request from the web browser and (b) provisioning a unique identifier for a new virtual connection. The Office action proceeds to assert that Ashton cures these deficiencies. In regard to (a), the Office Action rejects relies upon its argument in regards to claim 1 above which fails for the same reasons discussed above and therefore claims 10, 13 and 16 are allowable for at least the same reasons as discussed above.

In regard to (b), amended claims 10, 13 and 16 recite similar elements not disclosed by Ashton, Ditmer or a combination thereof. As a representative example, amended claim 10 recites in pertinent part:

“[a] method for provisioning a data link connection identifier in a network upon a request from a browser... comprising...provisioning a unique identifier for a new permanent virtual connection manually by a service technician, wherein the unique identifier differs from the displayed identifier.”

Neither Ashton nor Ditmer recite a manual provisioning method. The Office Action concedes that Ditmer does not disclose provisioning a unique identifier for a new virtual connection and Ashton discloses what appears to be an automatic provisioning of virtual connections. (Col. 5, l. 40-63). Therefore the combination of Ashton and Ditmer fail to disclose all of the claimed elements and therefore claims 10, 13 and 16 are allowable over the combination of Ashton and Ditmer for at least this additional reason. Dependent claims 11-12, 14-15 and 17-20 depend from an allowable claim 10, 13 or 16 and are allowable for at least this additional reason.

Claims 8 and 9

Dependent claims 8 and 9 stand rejected as being unpatentable over Ditmer in view of official notice of what was well know in the art. The Office Action concedes that Ditmer does not teach selecting a frame relay topology from a group consisting of full mesh, partial mesh and ring topologies and applying the invention concept to a peer-to-peer network. To cure these deficiencies in Ditmer, the Office Action asserts official

notice that both elements would have been obvious to one of ordinary skill in the art. However, the use of undocumented official notice is improper where the facts asserted by the Examiner to be well known are not capable of instant and unquestionable demonstration as being well known. Applicants assert that whether the application of the present invention to a peer-to-peer network and a full mesh, partial mesh and ring topologies is obvious to one of ordinary skill in the art is a question of fact and demand that a written reference be provided to the issue of being well known.

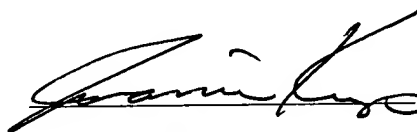
Conclusion

Applicant assert that the application including claims 1-20 is in condition for allowance. Applicant requests reconsideration of claims 2-6, 9-11, 23 and 27-32 in view of the amendment and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due beyond the fee for continued examination. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

Date: April 3, 2006



Jeramie J. Keys
Reg. No. 42,724

Withers & Keys, LLC
P.O. Box 71355
Marietta, Ga 30007-1355
(404) 849.2093